
SENATE BILL 6120

State of Washington

54th Legislature

1996 Regular Session

By Senators Quigley, Fairley, Kohl, McAuliffe, Loveland, Drew, Smith, Thibaudeau, Sheldon, Spanel, Rinehart, Bauer, Franklin, Wojahn, Goings, Winsley, Pelz and Rasmussen

Read first time 01/08/96. Referred to Committee on Health & Long-Term Care.

1 AN ACT Relating to health insurance benefits following the birth of
2 a child; adding a new section to chapter 41.05 RCW; adding a new
3 section to chapter 48.20 RCW; adding a new section to chapter 48.21
4 RCW; adding a new section to chapter 48.44 RCW; adding a new section to
5 chapter 48.46 RCW; and creating new sections.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

7 NEW SECTION. **Sec. 1.** It is the intent of the legislature that the
8 patient's preference and the judgment of the patient's health care
9 provider about appropriate medical care determine the duration and type
10 of care provided to mothers and their newly born children. It is not
11 the intent of the legislature to establish a maximum time period for
12 such care.

13 NEW SECTION. **Sec. 2.** A new section is added to chapter 41.05 RCW
14 to read as follows:

15 (1) If state purchased health care includes coverage for maternity
16 services, the coverage may not be denied for in-patient, postdelivery
17 care to a mother and her newly born child for a period of forty-eight

1 hours or less for a vaginal delivery and ninety-six hours or less for
2 a cesarean section.

3 (2)(a) State purchased health care that provides coverage for
4 postdelivery care to a mother and her newly born child in the home is
5 not required to provide for a minimum of in-patient care unless such
6 in-patient care is determined to be medically necessary by the health
7 care provider attending the mother or newly born child or is requested
8 by the mother. For the purposes of this section, "health care
9 provider" includes physicians licensed under chapter 18.57 or 18.71
10 RCW, certified nurse midwives licensed under chapter 18.79 RCW,
11 midwives licensed under chapter 18.50 RCW, and advanced registered
12 nurse practitioners licensed under chapter 18.79 RCW.

13 (b) Coverage for in-home, postdelivery care may not be denied for
14 three home visits or less if requested by the mother or determined
15 necessary by the health care provider or provider of in-home services
16 and agreed to by the mother. Providers of in-home services may
17 include, but need not be limited to, health care providers as defined
18 in this section, home health agencies licensed under chapter 70.127
19 RCW, and registered nurses licensed under chapter 18.79 RCW.

20 NEW SECTION. **Sec. 3.** A new section is added to chapter 48.20 RCW
21 to read as follows:

22 (1) If an insurer offers to any individual a health benefit plan
23 that provides coverage for maternity services, the insurer may not deny
24 coverage for in-patient, postdelivery care to a mother and her newly
25 born child for a period of forty-eight hours or less for a vaginal
26 delivery and ninety-six hours or less for a cesarean section.

27 (2)(a) An insurer that provides coverage for postdelivery care to
28 a mother and her newly born child in the home is not required to
29 provide for a minimum of in-patient care unless such in-patient care is
30 determined to be medically necessary by the health care provider
31 attending the mother or newly born child or is requested by the mother.
32 For the purposes of this section, "health care provider" includes
33 physicians licensed under chapter 18.57 or 18.71 RCW, certified nurse
34 midwives licensed under chapter 18.79 RCW, midwives licensed under
35 chapter 18.50 RCW, and advanced registered nurse practitioners licensed
36 under chapter 18.79 RCW.

37 (b) Coverage for in-home, postdelivery care may not be denied for
38 three home visits or less if requested by the mother or determined

1 necessary by the health care provider or provider of in-home services
2 and agreed to by the mother. Providers of in-home services may
3 include, but need not be limited to, health care providers as defined
4 in this section, home health agencies licensed under chapter 70.127
5 RCW, and registered nurses licensed under chapter 18.79 RCW.

6 NEW SECTION. **Sec. 4.** A new section is added to chapter 48.21 RCW
7 to read as follows:

8 (1) If a group disability insurance contract or blanket disability
9 insurance contract, providing health care services, provides coverage
10 for maternity services, the contract may not deny coverage for in-
11 patient, postdelivery care to a mother and her newly born child for a
12 period of forty-eight hours or less for a vaginal delivery and ninety-
13 six hours or less for a cesarean section.

14 (2)(a) A contract that provides coverage for postdelivery care to
15 a mother and her newly born child in the home is not required to
16 provide for a minimum of in-patient care unless such in-patient care is
17 determined to be medically necessary by the health care provider
18 attending the mother or newly born child or is requested by the mother.
19 For the purposes of this section, "health care provider" includes
20 physicians licensed under chapter 18.57 or 18.71 RCW, certified nurse
21 midwives licensed under chapter 18.79 RCW, midwives licensed under
22 chapter 18.50 RCW, and advanced registered nurse practitioners licensed
23 under chapter 18.79 RCW.

24 (b) Coverage for in-home, postdelivery care may not be denied for
25 three home visits or less if requested by the mother or determined
26 necessary by the health care provider or provider of in-home services
27 and agreed to by the mother. Providers of in-home services may
28 include, but need not be limited to, health care providers as defined
29 in this section, home health agencies licensed under chapter 70.127
30 RCW, and registered nurses licensed under chapter 18.79 RCW.

31 NEW SECTION. **Sec. 5.** A new section is added to chapter 48.44 RCW
32 to read as follows:

33 (1) If a health service contractor offers a health benefit plan
34 that provides coverage for maternity services, the contractor may not
35 deny coverage for in-patient, postdelivery care to a mother and her
36 newly born child for a period of forty-eight hours or less for a
37 vaginal delivery and ninety-six hours or less for a cesarean section.

1 (2)(a) A contractor that provides coverage for postdelivery care to
2 a mother and her newly born child in the home is not required to
3 provide for a minimum of in-patient care unless such in-patient care is
4 determined to be medically necessary by the health care provider
5 attending the mother or newly born child or is requested by the mother.
6 For the purposes of this section, "health care provider" includes
7 physicians licensed under chapter 18.57 or 18.71 RCW, certified nurse
8 midwives licensed under chapter 18.79 RCW, midwives licensed under
9 chapter 18.50 RCW, and advanced registered nurse practitioners licensed
10 under chapter 18.79 RCW.

11 (b) Coverage for in-home, postdelivery care may not be denied for
12 three home visits or less if requested by the mother or determined
13 necessary by the health care provider or provider of in-home services
14 and agreed to by the mother. Providers of in-home services may
15 include, but need not be limited to, health care providers as defined
16 in this section, home health agencies licensed under chapter 70.127
17 RCW, and registered nurses licensed under chapter 18.79 RCW.

18 NEW SECTION. **Sec. 6.** A new section is added to chapter 48.46 RCW
19 to read as follows:

20 (1) If a health maintenance organization offers a health benefit
21 plan that provides coverage for maternity services, the health
22 maintenance organization may not deny coverage for in-patient,
23 postdelivery care to a mother and her newly born child for a period of
24 forty-eight hours or less for a vaginal delivery and ninety-six hours
25 or less for a cesarean section.

26 (2)(a) A health maintenance organization that provides coverage for
27 postdelivery care to a mother and her newly born child in the home is
28 not required to provide for a minimum of in-patient care unless such
29 in-patient care is determined to be medically necessary by the health
30 care provider attending the mother or newly born child or is requested
31 by the mother. For the purposes of this section, "health care
32 provider" includes physicians licensed under chapter 18.57 or 18.71
33 RCW, certified nurse midwives licensed under chapter 18.79 RCW,
34 midwives licensed under chapter 18.50 RCW, and advanced registered
35 nurse practitioners licensed under chapter 18.79 RCW.

36 (b) Coverage for in-home, postdelivery care may not be denied for
37 three home visits or less if requested by the mother or determined
38 necessary by the health care provider or provider of in-home services

1 and agreed to by the mother. Providers of in-home services may
2 include, but need not be limited to, health care providers as defined
3 in this section, home health agencies licensed under chapter 70.127
4 RCW, and registered nurses licensed under chapter 18.79 RCW.

5 NEW SECTION. **Sec. 7.** The insurance commissioner shall adopt rules
6 to implement this act.

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